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AMENDMENTS TO THE DRAWINGS:

Figure 6 has been objected to because blade 94 is not identified in the Specification. In response, paragraph 0025 of the Specification has been amended to change "31" to "94", thereby conforming the Specification to the drawing.

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REMARKS

Rejections under 35 U.S.C. §102

Claims 1, 2, 3, 8, 9, 12, 20, 21, and 26 have been rejected under 35 U.S.C. 102(b) as being anticipated by Owens, Jr. et al. (US-A-5,442,422). In response, Applicants note first that the First Office identifies seal 70 in Owens' Figures 4-8 as the "agglomeration cleaning blade" named in the third element of Claim 1 of the present invention and the second element of claim 21. (See last line of page 3 and top of page 4 of the Office Action). As made repeatedly clear in the Specification of Owens, however, seal 70 is a "seal", not a blade. It serves to guide waste toner particles into a waste toner container (labeled as 80 in Figures 4, 7, and 8 of Owens) and to prevent waste toner from escaping onto the imaging surface (labeled 10 in Figures 1-8 of Owens). For a description of seal 70, see particularly Owens column 3, lines 59-column 4, line 22. No where in Owens is seal 70 described as a blade and no where in Owens is seal 70 described as capable of removing agglomerations from imaging surface 10. Lastly, no where in Owens is seal 70 described as functioning as a blade or as any means for removing agglomerations. Indeed, Owens specifically teaches away from using seal 70 as an agglomeration cleaning blade. See column 4, line 46-64 (and in particular see lines 58-61. See also Figures 5 and 6. These lines and figures teach that seal 70 is in contact with the imaging surface only when the "printing machine has ceased operation and the brush 50 has stopped rotating. In other words, seal 70 is in contact with the imaging surface *only* during service by a technical service representative, and seal 70 *cannot* be a blade used to remove agglomerations from the imaging surface during machine operation. Thus, the attempted identification of seal 70 as an

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“agglomeration blade” within the meaning of the present invention is not accurate and cannot support a rejection pursuant to 35 U.S.C 102(b).

Applicants secondly note that the only blade disclosed in Owens is a portion of a hybrid brush/blade primary cleaning system and is not a secondary blade for removing agglomerations. Blade 30 in Owens is disposed in contact with brush 50 and the imaging surface. See Figures 1, 2, 4, 5, 6, and 7. Blade 30 is the *primary* cleaning system disclosed in Owens. See Column 3, lines 116-20. As such, it fits within the first element of Claim 1 and of claim 21 of the present application and cannot be the “agglomeration cleaning blade”. The Office Action apparently recognizes the above and accordingly asserts that a seal 70 (which has no toner removal function whatsoever) is the “agglomeration cleaning blade” of the present invention. The fallacy of this assertion is described above.

Lastly, applicants note that Owens lacks a key operative limitation contained in claim 1 and claim 21. Specifically, claim 1 requires that “when the blade is moved into the engaged position, the cleaning edge is supported for shearing release of agglomerations from the imaging surface and wherein the cleaning blade is movable to the retracted position during periods in which the primary cleaner is in its operative position.” In contrast, seal 70 of Owens is *always* in its retracted position when the primary cleaner is in its operative position. See column 4, lines 34- 45 and Figure 5 which describe the position of seal 70 during the primary cleaner’s operations. See column 4, line 46-64 (and in particular see lines 58-61. See also Figures 5 and 6. Applicants further note that since seal 70 is in contact with the imaging surface *only* during service by a technical service representative, seal 70 *cannot* be a blade used to remove agglomerations from the imaging surface.

In sum, neither seal 70 nor blade 30 of the apparatus taught by Owens is an “agglomeration cleaning blade” as required in the present

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invention. Also, neither seal 70 nor blade 30 of Owens is placed both in an operative and a retracted position while the primary cleaner is in its operative position. Owens accordingly cannot support a rejection pursuant to 35 U.S.C. 102(b), and claims 1 and 21, and all claims depending from claim 1 and 21 (which are the two independent claims) are allowable.

Rejections under 35 U.S.C. §103

Claim 4 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Owens, Jr. in view of Pozniakas et al. (US-A-5,493,383) and Thayer, et al. (US-A-5,655,203). In response, Applicants note that both Pozniakas and Thayer teach brush cleaning systems and that neither teaches or discloses any cleaning blade of any kind. Accordingly, neither can teach an agglomeration cleaning blade and neither teaches a blade operating in the manner claimed in claims 1 and 21. Accordingly, neither Pozniakas nor Thayer cure the defects listed above in relation to Owens, and the combination of Owens, Pozniakas, and Thayer cannot support a rejection of claims 1 or 21 or the claims dependent from these claims under 35 U.S.C. 103(a).

Claims with Objections


In view of the above, Applicants at this time elect not to rewrite claims 6, 7, 10, 11, 13-19, 22-25, and 27 into allowable independent claims. The Examiner's conditional allowance of these claims has been noted.

No additional fee is believed to be required for this amendment. However, the undersigned Xerox Corporation attorney (or agent) hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

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In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is hereby authorized to call Applicant's Attorney, Richard Spooner, at Telephone Number (585) 423-5324, Rochester, New York.

Respectfully submitted,


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